

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 IOE-00 ACDA-07 CIAE-00
INR-07 L-03 NSAE-00 NSC-05 EB-07 NRC-05 OES-07
FEAE-00 DODE-00 SS-15 SP-02 SSO-00 NSCE-00 INRE-00
/085 W

-----013139 201625Z /43

O R 201449Z JUN 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2171
INFO USERDA HQ WASHDC
USERDA GERMANTOWN

C O N F I D E N T I A L SECTION 1 OF 2 VIENNA 4939

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DEPARTMENT PASS IO/SCT

EO 11652: GDS
TAGS: AORG, OCON, IAEA
SUBJECT: JUNE BOARD MEETING: AMENDMENT OF ARTICLE VI

REF: STATE 132966

SUMMARY: DESPITE LENGTHLY BOARD DISCUSSIONS, AS WELL AS
SERIES OF PRIVATE CONSULTATIONS AMONG GOVERNORS, BOARD
FAILED TO REACH CONSENSUS WITH REGARD TO PROPOSAL TO
AMEND ARTICLE VI OF STATUTE. AGREEMENT WAS REACHED
INSTEAD TO CONTINUE INFORMAL EFFORTS TO REACH CONSENSUS
DURING THIS WEEK. END SUMMARY.

1. PREVIEW OF WHAT WAS TO BECOME PROTRACTED, TEDIOUS
BOARD DISCUSSION OF THIS AGENDA ITEM, CHARACTERIZED AT
TIME BY LEGALISTIC POSTURING, WAS PROVIDED BY SECOND
ROUND OF INFORMAL CONSULTATIONS CHAIRED BY BG CHAIRMAN
CISSE JUNE 13 WHICH WASN IN VIRTUALLY ALL RESPECTS, A
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CARBON COPY OF FIRST ROUND, I.E., DEADLOCK, WITH DEVELOPED
COUNTRIES OPPOSING PROPOSAL TO INCREASE BOARD REPRESENTATION
OF AF AND MESA REGION BY FIVE SEATS. DISCUSSION ON THIS
ISSUE WAS SUBSEQUENTLY INCLUDED IN THREE SEPARATE SESSIONS
OF THE BOARD MEETING, AS CHAIRMAN REPEATEDLY POSTPONED
DEFINITIVE CONCLUSION IN FUTILE EFFORT TO
ALLOW PRIVATE CONSULTATION TO PRODUCE CONSENSUS.

2. CHAIRMAN OPENED DISCUSSION ON THIS QUESTION AFTERNOON OF JUNE 15 BY ANNOUNCING (PREMATURELY) A CONSENSUS TO THE EFFECT THAT COMMITTEE CONSISTING OF HIMSELF AND TWO VICE CHAIRMEN BE SET UP TO STUDY MATTER FURTHER AND REPORT TO SEPTEMBER BOARD, IT BEING UNDERSTOOD THAT DISCUSSION WOULD ADDRESS ONLY THE PROPOSAL TO EXPAND

REPRESENTATION OF THE TWO AREAS CONCERNED. PAKISTAN REP (SLATTER) IMMEDIATELY INSISTED THAT IT WAS RESPONSIBILITY OF THE JUNE BOARD TO TRANSMIT ITS QUOTE OBSERVATIONS UNQUOTE TO GHE GEN. CONF. IN DICSUSSION WHICH FOLLOWED, REP OF PAKISTAN, NIGERIA RE-STATED AT LENGTH ARGUMENTS THEY HAD PREVIOUSLY PUT FORWARD FOR ALLOCATION OF AN ADDITIONAL FIVE SEATS FOR THEIR REGIONS, E.G. FULFILLMENT QUOTE EQUITABLE GEOGRAPHIC DISTRIBUTION UNQUOTE, CORRECTION OF LONG STANDING QUOTE INJUSTICE UNQUOTE ECT. INTERVENTIONS BY ARGENTINA AND MEXICO, WHILE SUPPORTIVE OF PROPOSED REVISION, CARRIED UNMISTAKEABLE HINT THAT LA REGION DID NOT SHARE CHAIRMAN'S VIEW THAT DISCUSSION OF REVISION PROPOSAL BE RESTRICTED SOLELY TO REPRESENTATION OF AF AND MESA.

3. DISCUSSION RESUMED MORNING OF JUNE 17, OPENING WITH

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STATEMENT BY REP OF USSR TO EFFECT THAT PRESENT SIZE AND COMPOSITION OF BOARD WAS APPROPRIATE AND QUOTE OPTIMAL UNQUOTE ACHIEVEABLE. EXPANSION OF BOARD IN MANNER PROPOSED WAS NEITHER DESIRABLE NOR FEASILBE. REPRESENTATIVES OF FRANCE AND US ENDORSED THIS VIEW. IN RESPONSE TO QUERY BY PAKISTANIAN REP, BOARD SECRETARY EXPLAINED PROCEDURES FOR STATUTE AMENDMENT, REFERRING IN PARTICULAR TO ARTICLE XVIII REQUIREMENT THAT TEXT OF PROPOSED AMENDMENTS BE CIRCULATED TO MEMBERSHIP AT LEAST NINETY DAYS BEFORE GEN. CONF. (I.E., BY JUNE 26). PAKISTAN TEHN POINTED OUT THAT IN THE EVENT FUTURE CONSULTATIONS SHOULD PRODUCE A CONSENSUS ON A NEW AMENDMENT, RULE 100 OF GEN. CONF. RULES OF PROCEDURE COULD NOT BE COMPLIED WITH SINCE MODIFICATION OF PROPOSED AMENDMENTS

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-07 CIAE-00
INR-07 L-03 NSAE-00 NSC-05 EB-07 NRC-05 OES-07
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FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2172
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C O N F I D E N T I A L SECTION 2 OF 2 VIENNA 4939

C O R R E C T E D C O P Y (CCY UPPER CASE IN PARA 4)

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ALSO REQUIRED AT LEAST NINETY DAYS PRIOR CIRCULATION.
HE THEN PROPOSED THAT BOARD REACH QUOTE GENTLEMEN'S
AGREEMENT UNQUOTE TO SUSPEND RULE 100 PURSUANT RULE 102

OF GEN CONF RULES AND ASKED FOR RULING FROM CHAIR ON

LEGALITY OF THIS PROCEDURE. FOLLOWING BRIEF LEGALISTIC
EMBROGLIO BETWEEN SECRETARIAT AND NUMBER OF GEVERNORS,
CHAIR ADJOURNED SESSION FOR FURTHER INFORMAL CONSULTATIONS.

4. FRUITS OF THOSE CONSULTATIONS WERE REVEALED WHEN
BOARD RECONVENED IN LATE AFTERNOON OF SAME DAY. FIRST,
AGENCY'S LEGAL ADVISER RENDERED OPINION (A) THAT ONLY

GEN. CONF. IS COMPETENT TO SUSPEND ITS OWN RULES (B)
THAT IN ANY CASE, SUSPENSION OF RULE 100 WOULD SERFVE TO DEFEAT
PURPOSE OF ARTICLE XVIII AND DEPRIVE MEMBERSHIP OF
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SUFFICIENT TIME TO CONSIDER STATUTE AMENDMENT PROPOSAL.
CHAIRMAN THEN ENDED DISCUSSION BY STATING HIS UNDERSTANDING
THAT BOARD WISHED TO CONTINUE CONSULTATIONS AIMED AT
CONSENSUS PROPOSAL DURING TIME REMAINING BEFOR 90-DAY
DEADLINE REACHED, AND TO SUBMIT TO GEN. CONF. AS ITS
QUOTE OBSERVATIONS UNQUOTE ON CO-SPONSOR'S PROPOSAL, THE
DISCUSSION OF THE FEBRUARY AND JUNE MEETINGS OF THE BOARD.

AT SUGGESTION OF U.S. GOVERNOR, IT WAS ALSO AGREED TO
INCLUDE IN QUOTE OBSERVATIONS UNQUOTE THE RECORD OF THE
SEPTEMBER MEETING. U.S. GOVERNOR ALSO POINTED OUT THAT
CO-SPONSOR MIGHT WISH TO SUBMIT AMENDED PROPOSALS IN BRIEF
PERIOD REMAINING BEFORE 90-DAY DEADLINE.

5. MISSION RECOMMENDATIONS RE OUR FUTURE COURSE OF
ACTION FOLLOWS SEPTEL. STONE

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Message Attributes

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